

THURSDAY, FEBRUARY 20, 1992

SIXTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Pat McGeachy, First Presbyterian Church, Nashville, Tennessee.

Representative Chiles led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

PRESENT IN CHAMBER

Representative(s) Edna Tullos was/were recorded as being present in the Chamber.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

**ENROLLED BILLS
February 19, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report

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that we have carefully compared: House Resolution(s) No(s). 152 and 153; also, House Joint Resolution(s) No(s). 122 and 468; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
February 19, 1992

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 122 and 468; also, House Resolution(s) No(s). 152 and 153.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES
February 20, 1992

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Monday, February 24, 1992**: House Bill(s) No(s). 1738, 1709 and 868.

PHILLIPS, Chair.

REGULAR CALENDAR

House Bill No. 1266 -- Workers' Compensation -- Expands list of physicians to include those in state provider network. Amends TCA, Title 50, Ch. 6.

Further consideration of House Bill No. 1266, previously considered on April 8, 25 and May 9, 1991, at which time it was reset to the Calendar for February 20, 1992.

Rep. Clark moved that House Bill No. 1266 be reset three weeks to the Calendar for March 12, 1992, which motion prevailed.

Senate Joint Resolution No. 0334 -- Memorials, Sports -- Milan High School football team.

Rep. Davis (Gibson) moved that Senate Joint Resolution No. 334 be reset two weeks to the Calendar for March 5, 1992, which motion prevailed.

UNFINISHED BUSINESS

BILL WITHDRAWN

On motion of Rep. Ferguson, House Bill No. 1537 was recalled from the Transportation Committee.

On motion of Rep. Ferguson, House Bill No. 1537 was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1266: Rep(s). Turner (Hamilton) as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Joint Resolution No. 0490 -- Memorials, Public Service -- Alice Harton Ratcliffe. by *Curlee.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0491 -- Memorials, Sports -- Sullivan South High School football team. by *Venable.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0492 -- Memorials, Public Service -- Gladys Faires, Knoxville. by *Hill, *Winningham.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0493 -- Memorials, Congratulations -- White Station High School, champions of Yale Model United Nations competition. by *Hassell.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0494 -- Memorials, Personal Occasion -- Lizzie Franklin, 92nd birthday. by *West.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0495 -- Highway Signs -- Designates portion of U.S. Highway 43 as "Greg O'Rear Memorial Highway". by *Moore, *Bragg, *Rhinehart, *Pinion, *Head, *Naifeh, *Crain, *Whitson.

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Referred by the Speaker to the Transportation Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0349 -- Memorials, Recognition and Thanks -- Honors "Baby John" Frazier V and his family.

Referred by the Speaker to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were introduced and referred as noted:

***Senate Joint Resolution No. 0286** -- Highway Signs -- Harvey H. Hannah Community Parkway, portion of U. S. 27.

Referred by the Speaker to the Transportation Committee.

RULES SUSPENDED

Rep. Cole moved that the rules be suspended for the purpose of concurring in Senate Joint Resolution 330, which motion prevailed.

***Senate Joint Resolution No. 0330** -- Memorials, Government Officials -- Urges Bureau of Medicaid to seek approval for implementation of model program which offers asset protection for the elderly through purchase of long term health care insurance.

On motion of Rep. Cole, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Whitson moved that the rules be suspended for the purpose of recalling Senate Joint Resolution No. 336 from the Consent Calendar for Monday, February 24, 1992, for immediate consideration, which motion prevailed.

Senate Joint Resolution No. 0336 -- Memorials, Personal Occasion -- Andrew and Ruth Renner, 50th wedding anniversary.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Whitson, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Armstrong moved that the rules be suspended for the purpose of recalling Senate Joint Resolution No. 340 from the Consent Calendar for Monday, February 24, 1992 for immediate consideration, which motion prevailed.

Senate Joint Resolution No. 0340 -- Memorials, Death -- Reverend Byron G. Ragsdale.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Armstrong, the resolution was concurred in.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2313 -- Tullahoma -- Authorizes levying of hotel/motel tax by ordinance in same manner as that provided in TCA Title 67, Chapter 4, Part 14, subject to TCA 67-4-1425. Amends Chapter 553, Acts of 1903, as amended. by *Curlee.

Passed first consideration.

House Bill No. 2314 -- Insurance, Life -- Requires insurer to mail assignee of life insurance policy copies of premium and lapse notices and late payment offers mailed to policy owner. Amends TCA 56-7-204. by *Curlee.

Passed first consideration.

House Bill No. 2315 -- Energy -- Requires operator of a high-voltage line to notify owner of line of work plans. Amends TCA 68-21-105. by *Kisber, *Holt, *Hubbard, *Phillips, *Bivens, *Jones R, *Jones U, *Kent, *West, *Walley, *Hargrove, *Love, Haley, Tullos, Holcomb.

Passed first consideration.

House Bill No. 2316 -- Annexation -- Requires petition notice by publication and first class mail to affected property owners and public hearings prior to annexation. Amends TCA, Title 65, Ch. 51, Pt. 1. by *Venable.

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Passed first consideration.

House Bill No. 2317 -- Credit Unions -- Requires, upon adoption, submission of duplicate copies of bylaw amendments to commissioner of financial institutions; requires commissioner's written approval before amendment effective. Amends TCA 45-4-102. by *Bivens, *Phillips, *Wood, *Meyer, *McAfee, *Robinson C B, *Holcomb, *Hassell, *Coffey, *Severance, Shirley.

Passed first consideration.

House Bill No. 2318 -- Credit Unions -- Requires board of directors to audit income and liabilities at least annually, instead of at close of fiscal year. Amends TCA 45-4-202. by *Bivens, *Phillips, *Wood, *Meyer, *McAfee, *Robinson C B, *Holcomb, *Hassell, *Coffey, *Severance.

Passed first consideration.

House Bill No. 2319 -- Hospitals and Health Care Facilities -- Decreases temperature in nursing home freezers from 20 degrees to 15 degrees; renames "immediate care facilities" to "nursing facility". Amends TCA, Title 68, Ch. 11; Title 71, Ch. 5. by *Kisber.

Passed first consideration.

House Bill No. 2320 -- Hospitals and Health Care Facilities -- Abolishes limitation of terms of hospital and medical service board of directors. Amends TCA, Title 56, Ch. 29, 56-29-105. by *Copeland.

Passed first consideration.

House Bill No. 2321 -- County Government -- Increases the minimum size of special committees appointed by a county legislative body acting pursuant to the County Financial Management System of 1981. Amends TCA 5-21-105. by *Fowlkes, *Phillips.

Passed first consideration.

House Bill No. 2322 -- Highway Signs -- Directs commissioner of transportation to erect signs on I-24 designating the exit to Long Hunter State Park. by *West.

Passed first consideration.

House Bill No. 2323 -- Medicare and Medicaid -- Deems it to be fraud if resource is given away or sold for less than fair market value within three years of applying for Medicaid eligibility; creates lien on such property in favor of state. Amends TCA, Title 71, Ch. 5, Pt. 1. by *West.

Passed first consideration.

House Bill No. 2324 -- Highway Signs -- Metropolitan-Nashville

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Davidson County as "Home of Sara Lee Women's Golf Classic". by *West.

Passed first consideration.

House Bill No. 2325 -- Tobacco, Tobacco Products -- Restricts vending machines for tobacco products to areas inaccessible to minors unless machine is supervised by an adult; exempts blind vendors; allows more stringent local control. Amends TCA, Title 39, Ch. 15, Pt. 4. by *Liles.

Passed first consideration.

House Bill No. 2326 -- Common Carriers -- Deregulates intrastate trucking tariffs. Amends TCA, Title 65, Ch. 15. by *Joyce.

Passed first consideration.

House Bill No. 2327 -- Telecommunications -- Enacts "Tennessee 1-900 Telephone Services Act". Amends TCA, Title 47, Ch. 18. by *Joyce.

Passed first consideration.

House Bill No. 2328 -- Banks and Financial Institutions -- Requires application for certificate of authority for banking institution contain statement that institution has applied for membership in FDIC. Amends TCA, Title 45, Ch. 2; Title 50, Ch. 6; Title 56, Ch. 5. by *Anderson.

Passed first consideration.

House Bill No. 2329 -- Gambling -- Revises gambling law. Amends TCA 39-11-116, 39-17-505. by *Herron.

Passed first consideration.

House Bill No. 2330 -- Utilities, Utility Districts -- Requires grievance of final action of commissioners in utility dispute to obtain review by written request to utility management review board instead of circuit court; requires hearing be conducted by board. Amends TCA 7-82-402, 8-82-702. by *Wood.

Passed first consideration.

House Bill No. 2331 -- Sexual Offenses -- Increases punishment for statutory rape from Class E to Class B felony if victim is 13 years old. Amends TCA, Title 39, Ch. 13, Pt. 5. by *Halteman, *West, *Stamps.

Passed first consideration.

House Bill No. 2332 -- Railroads -- Creates Interstate Rail Passenger Network Compact. Amends TCA, Title 4. by *Ridgeway, *Robinson Robb, *Crain, *Buck, *Ferguson, *Napier, *Rinks, *Collier,

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***Davis R E, *Rigsby, *Givens, *Wood, *Gunnels, *Cole, *Head.**

Passed first consideration.

House Bill No. 2333 -- DUI/DWI Offenses -- Allows judge in Davidson County to sentence person convicted of DUI for first time to perform 200 hours of public service work in a supervised program in lieu of mandatory minimum period of confinement. Amends TCA, Title 55, Ch. 10, Pt. 4. by ***Robinson Robb, *Clark.**

Passed first consideration.

House Bill No. 2334 -- Municipal Government -- Authorizes municipalities by ordinance to operate or contract to operate elder care centers and/or child care centers. Amends TCA, Title 6. by ***Wix.**

Passed first consideration.

House Bill No. 2335 -- Health and Environment, Dept. of -- Requires moneys collected by health related boards be deposited in general fund and credited to specific board account, to be used for defraying expenses, with excess funds to remain available for expenditures. Amends TCA, Titles 4, 63. by ***Odom.**

Passed first consideration.

House Bill No. 2336 -- Jackson County -- Abolishes authority of Gainesboro Port Authority to condemn land. Repeals Chapter 192, Private Acts of 1988. by ***Winningham.**

Passed first consideration.

***House Bill No. 2337 -- Environmental Preservation --** Extends coverage of underground tank fund to inactive petroleum tank site when less than five tanks existed and were removed prior to July 1, 1988, and owner did not contaminate and maintains proper fees. Amends TCA, Title 68, Ch. 53. by ***Winningham.**

Passed first consideration.

House Bill No. 2338 -- Highways, Roads and Bridges -- Authorizes chief administrative officer of county highway department to enter into contractual agreements with department of transportation. Amends TCA, Title 54, Ch. 7. by ***Winningham, *Ridgeway, *Bell, *Whitson, *Robinson Robb, *Napier, *Collier.**

Passed first consideration.

House Bill No. 2339 -- Highways, Roads and Bridges -- Allows Knox, Hamilton and Davidson counties to authorize county road departments to expend money for and/or perform work on streets within incorporated municipalities without reimbursement. Amends TCA 54-7-202. by ***Armstrong, *Tindell, *Hill.**

Passed first consideration.

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House Bill No. 2340 -- Election Laws -- Allows candidate nominated in primary in municipality with 10,000 or more to withdraw name from consideration in general election; requires withdrawal to occur ten days after primary. Amends TCA, Title 6, Ch. 53. by *Armstrong.

Passed first consideration.

House Bill No. 2341 -- Housing -- Establishes that housing authority employment not be deemed same as employment by municipality or city. Amends TCA, Title 13, Ch. 20. by *Armstrong, *Tindell, *Davis J K, *Peroulas Draper, *Hill, *Severance.

Passed first consideration.

***House Bill No. 2342** -- Public Service Commission -- Increases fee for application of temporary certificate of convenience and necessity from \$25.00 to \$50.00. Amends TCA, Title 65, Ch. 15. by *DeBerry.

Passed first consideration.

House Bill No. 2343 -- Taxes, Excise -- Modifies method of computing under payment of estimated corporate excise tax. Amends TCA 67-4-817. by *Sipes, *McDaniel, *Niceley, *Joyce.

Passed first consideration.

***House Bill No. 2344** -- Board of Regents -- Extends term of past commissioner of education from 20 to 23 years. Amends TCA 49-8-201. by *Moore, *Bragg, *Rhinehart.

Passed first consideration.

House Bill No. 2345 -- Workers' Compensation -- Increases from 30 to 60 days the time employee has to report injury to employer. Amends TCA, Titles 6, 50. by *Buck.

Passed first consideration.

House Bill No. 2346 -- Municipal Government -- Revises mayor aldermanic charter form of municipal government. Amends TCA, Title 6, Chs. 1--4. by *Kisber, *West, *Kent, *Huskey, *Bittle.

Passed first consideration.

House Bill No. 2347 -- Bond Issues -- Permits proceeds of capital outlay notes issued by counties for school purposes be shared with municipal and special school district systems in same county for sharing proceeds of school bonds. Amends TCA, Title 9, Ch. 21, Pt. 6, 49-3-315. by *Chumney.

Passed first consideration.

House Bill No. 2348 -- Physicians and Surgeons -- Defines

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"physician" as one licensed to provide direct medical care to Medicaid recipients; classifies physician as state employee solely for "professional malpractice" categories. Amends TCA, Title 71, Ch. 5. by *Chiles.

Passed first consideration.

House Bill No. 2349 -- Criminal Offenses -- Revises classification of prior felony offenses by addition of first, second and third degree criminal sexual conduct, which would be classified as Class A, B and D felonies, respectively. Amends TCA 40-35-118. by *Hargrove, *Buck.

Passed first consideration.

House Bill No. 2350 -- Criminal Offenses -- Permits consent as defense to criminal offense involving bodily harm when injury is not serious and conduct and harm are foreseeable hazards. Amends TCA 39-13-104. by *Hargrove, *Buck.

Passed first consideration.

House Bill No. 2351 -- Education, Higher -- Applies College and University Security Information Act to only those institutions operating own security forces. Amends TCA, Title 49, Ch. 7, Pt. 22. by *Buck.

Passed first consideration.

House Bill No. 2352 -- Liens -- Authorizes towing companies to tow unattended, immobile or abandoned motor vehicles; grants possessory lien; requires notification to owners and lienholders of custody; authorizes selling at auction; authorizes removal of unauthorized vehicles on private property. Amends TCA, Title 55, Ch. 16, Pt. 1. by *West.

Passed first consideration.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 1674 -- Highway Signs --** J.E. "Buck" Karnes Bridge in Knoxville. (HB 1736).

Held pending third consideration of companion House Bill.

***Senate Bill No. 1683 -- Highway Signs --** "Veterans Memorial Drive," SR 50, Franklin County. (HB 1712).

Held pending third consideration of companion House Bill.

Senate Bill No. 1686 -- Highway Signs -- Smyrna Airport, Exit 66, I-24. (*HB 1655).

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Held pending third consideration of companion House Bill.

***Senate Bill No. 1697 -- Highway Signs -- "Garrett-Maynard Highway", State Highway 52 between Livingston and Overton/Clay County line. (HB 1715).**

Held pending third consideration of companion House Bill.

***Senate Bill No. 1715 -- Highway Signs -- "Tennessee Ernie Ford Parkway," Bristol Beltway Highway Project. (HB 1870).**

Held pending third consideration of companion House Bill.

***Senate Bill No. 1717 -- Medical Occupations -- Provides for category of licensure, as well as certification, of emergency medical technician and emergency medical technician-paramedic. Amends TCA, Title 68, Ch. 39, Pt. 5. (HB 1762).**

Held pending third consideration of companion House Bill.

***Senate Bill No. 1722 -- Motor Vehicles -- Specifies that law enforcement officials may use television and other similar video equipment in motor vehicles while engaged in official duties. Amends TCA 55-9-105. (HB 1971).**

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 2251 -- Taxes, Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2252 -- Highway Signs -- Passed second consideration and referred to the Transportation Committee.**

House Bill No. 2253 -- Motor Vehicles -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 2254 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2255 -- Liens -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2256 -- Municipal Government -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2257 -- Criminal Offenses -- Passed second

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consideration and referred to the Judiciary Committee.

***House Bill No. 2258 -- Municipal Government --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2259 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2260 -- Union County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2261 -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2262 -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2263 -- Purchasing -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2264 -- Personnel Recruiting Services --** Passed second consideration and referred to the Consumer and Employee Affairs Committee.

***House Bill No. 2265 -- Election Laws --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2266 -- Personnel Recruiting Services -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 2267 -- Housing -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2268 -- Cannon County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2269 -- Traffic Safety -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 2270 -- Taxes, Sales -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2271 -- Election Laws --** Passed second consideration and referred to the State and Local Government Committee.

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House Bill No. 2272 -- Cemeteries -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2273 -- Criminal Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2274 -- Cemeteries -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2275 -- Cemeteries -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2276 -- County Government -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2277 -- Welfare -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2278 -- Juries and Jurors -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2279 -- Gambling -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 2280 -- Gambling -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 2281 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2282 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 2283 -- Public Officials -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2284 -- Local Education Agency -- Passed second consideration and referred to the Education Committee.

House Bill No. 2285 -- Centerville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

***House Bill No. 2286 -- Education -- Passed second consideration and referred to the Education Committee.**

House Bill No. 2287 -- Public Officials -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2288 -- Landlord and Tenant -- Passed second

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consideration and referred to the Judiciary Committee.

House Bill No. 2289 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 2290 -- Public Records -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2291 -- County Government -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2292** -- State Employees -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2293** -- State Government -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2294 -- Sequatchie County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

***House Bill No. 2295** -- Junk Dealers and Junkyards -- Passed second consideration and referred to the Transportation Committee.

***House Bill No. 2296** -- Medicare and Medicaid -- Passed second consideration and referred to the Health and Human Resources Committee.

***House Bill No. 2297** -- Medicare and Medicaid -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 2298 -- Motor Vehicles, Titling and Registration -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 2299 -- Insurance, Health, Accident -- Passed second consideration and referred to the Commerce Committee.

***House Bill No. 2300** -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2301 -- Red Boiling Springs -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2302 -- Tennessee Housing Development Agency -- Passed second consideration and referred to the State and Local Government Committee.

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House Bill No. 2303 -- Criminal Procedure -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2304 -- General Assembly, Directed Studies -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2305 -- Medicare and Medicaid -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 2306 -- Scholarships -- Passed second consideration and referred to the Education Committee.

House Bill No. 2307 -- Common Carriers -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 2308 -- Monroe County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2309 -- Public Records -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 2310 -- Motor Vehicles --** Passed second consideration and referred to the Transportation Committee.

***House Bill No. 2311 -- Motor Vehicles --** Passed second consideration and referred to the Transportation Committee.

***House Bill No. 2312 -- Highway Signs --** Passed second consideration and referred to the Transportation Committee.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 20, 1992**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2268, 2294 and 2308.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 20, 1992**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, February 24, 1992: House Joint Resolution(s) No(s). 490, 491, 492, 493 and 494; House Bill(s) No(s). 2268, 2308 and 2294; also, Senate Joint Resolution(s) No(s). 349.

PHILLIPS, Chair.

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**MESSAGE FROM THE SENATE
February 20, 1992**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 122 and 468; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**MESSAGE FROM THE SENATE
February 20, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1634; also, Senate Joint Resolution(s) No(s). 325, 328, 329 and 333; for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**REPORT OF CHIEF ENGROSSING CLERK
February 20, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 122 and 468; for his action.

**BETTY KAY FRANCIS,
Chief Engrossing Clerk.**

**MESSAGE FROM THE SENATE
February 29, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 324, 345, 346, 347 and 348; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

***Senate Joint Resolution No. 0324 -- Memorials, Congress -- Expresses opposition to shifting of financial responsibilities for federal programs from federal government to state. by *Cooper, Lawson, Greer, Patten.**

Senate Joint Resolution No. 0345 -- Memorials, Death -- Mary Roberts Cole. by *Ford.

Senate Joint Resolution No. 0346 -- Memorials, Personal Occasion -- Mother Ella Malone, 100th Birthday. by *Ford.

Senate Joint Resolution No. 0347 -- Memorials, Congratulations -- City of Germantown, sesquicentennial celebration. by *Person, *Dunavant.

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Senate Joint Resolution No. 0348 -- Memorials, Recognition and Thanks -- Tennessee County Veterans Service Officers Association. by *Elsea, O'Brien, Womack, Albright, Crutchfield.

MESSAGE FROM THE SENATE
February 20, 1992

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1650, 1654, 1675, 1677, 1737, 1743, 1760, 1776, 1803, 1965, 1987, 2023 and 2047; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 1650** -- Taxes, Real Property -- Requires payment of undisputed amount of real property taxes assessed against utilities; allows payment of disputed portion. Amends TCA 67-5-1329. by *Dunavant, Cooper, Elsea, Hamilton, Henry, McKnight.

***Senate Bill No. 1654** -- Taxes, Real Property -- Revise provisions of Greenbelt Law. Amends TCA, Title 67, Ch. 5, Pt. 10. by *Burks, *Dunavant, Cooper, Elsea, Hamilton, McKnight.

***Senate Bill No. 1675** -- Taxes, Real Property -- Authorizes county trustee in Knox County to permit retired persons over 65 to pay real estate taxes in quarterly payments; authorizes county trustee to prescribe terms and conditions of payments. Amends TCA 67-5-1807. by *Atchley, Gilbert.

***Senate Bill No. 1677** -- Motor Vehicles -- Authorizes special license plates for popularly elected municipal court judges. Amends TCA, Title 55, Ch. 4. by *Crutchfield, McKnight.

***Senate Bill No. 1737** -- Zoning -- Establishes procedure for calling election on county zoning question. Amends TCA, Title 13, Chs. 3, 7. by *Koella.

***Senate Bill No. 1743** -- Alcoholic Beverages -- Removes United States citizenship requirement for licensure. Amends TCA 57-3-210, 57-5-103, 105. by *Cohen.

***Senate Bill No. 1760** -- Public Officials -- Changes filing date for amended disclosure statement from January 15 to January 31; requires persons filing conflict of interest statements to have at least one attesting witness sign form. Amends TCA, Title 8, Ch. 50, Pt. 5. by *Lawson.

***Senate Bill No. 1776** -- Courts -- Authorizes clerk of any state, county, or municipality to collect fees, fines or court costs by credit card. by *McNally, *Womack, *McKnight.

***Senate Bill No. 1803** -- Alcoholic Beverages -- Lowers minimum seating requirement from 75 to 40 for wine only restaurants; lowers bond requirement to same 20 percent rate as privilege tax. Amends

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TCA 57-4-101, 57-4-302. by *Cohen.

***Senate Bill No. 1965** -- Alcoholic Beverages -- Authorizes sale of liquor by the drink at public aquarium in Hamilton County; establishes \$300 privilege tax. Amends TCA, Title 57, Ch. 4. by *Crutchfield.

***Senate Bill No. 1987** -- Taxes, Alcoholic Beverages -- Removes obligation to place identification stamp on alcoholic beverage containers; requires retailer to possess tax documentation; sets criteria for contraband. Amends TCA, Title 57. by *Cooper, *Hamilton.

***Senate Bill No. 2023** -- Alcoholic Beverages -- Enacts "Gourmet Restaurant Enjoyment Act of Tennessee" or "GREAT". Amends TCA, Title 57, Ch. 4. by *Cohen.

Senate Bill No. 2047 -- Judicial Officers -- Allows Davidson County circuit court clerks to collect fines for default judgments and to retain agent to collect fines that are six months delinquent; allows clerks to retain 30 percent of fines to defray costs of collection. Amends TCA, Title 20. by *Haynes, Henry.

SIGNED

February 20, 1992

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1634; also, Senate Joint Resolution(s) No(s). 325, 328, 329 and 333.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

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On motion of Rep. Purcell, the House recessed until 5:00 p.m.,
Monday, February 24, 1992.